

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

James Walton,

Case No. 23-CV-2795 (JMB/DLM)

Petitioner,

v.

**ORDER ON REPORT AND
RECOMMENDATION**

United States of America,

Respondent.

This matter is before the court on the Report and Recommendation (R&R) of United States Magistrate Judge Douglas L. Micko dated April 3, 2024. (Doc. No. 14.) The R&R recommends that Petitioner James Walton's for Writ of Habeas Corpus under 28 U.S.C. § 2241(Doc. No. 1) be denied as moot and this matter be dismissed without prejudice for lack of subject-matter jurisdiction. (*See* Doc. No. 14.) Walton did not file any objections to the R&R, and the time to do so has now passed. *See* D. Minn. L.R. 72.2(b)(1).

In the absence of timely objections, the Court reviews the R&R for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all the files, records, and proceedings in the above-captioned matter, IT IS HEREBY ORDERED THAT:

1. The R&R (Doc. No. 14) is ADOPTED;
2. Petitioner James Walton's Petition for a Writ of Habeas Corpus (Doc. No. 1) is DENIED AS MOOT; and
3. This matter is DISMISSED WITHOUT PREJUDICE for lack of subject-matter jurisdiction.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: April 26, 2024

/s/ Jeffrey M. Bryan
Judge Jeffrey M. Bryan
United States District Court